IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2028 OF 2005

Harishchandra Bhatia ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Subhash Jha with Mr.Gaurav Agarwal
i/b Law Global for the Applicant.
Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MARCH 24, 2005.

P.C.

1. Mr.Jha for the Applicant has placed reliance on the decision of our High Court reported in **1998(2) Mh.L.J. 932 in the case of Akhalaq Ahmed F.Patel vs. State of Maharashtra** to contend that in similar situation, relief as prayed in the present Application, was acceded to by our High Court. It is submitted that even in the present case, there is sufficient cause which disabled the Applicant to appear before the Trial Court on the

specified date.

2. Without going into the correctness of the stand that there was sufficient cause, as, that is the matter, which will have to be examined by the appropriate Court which has issued non-bailable warrants against the Applicant, in my opinion, Applicant deserves limited protection as prayed in this application in terms of prayer clause (b) to the effect that in the event of arrest of the Applicant in connection with the non-bailable warrant issued by the learned Chief Metropolitan Magistrate's 9th Court, Kanpur, U.P., he shall be released on bail on executing bond in the sum of Rs.10,000/- (Rupees Ten Thousand).

3. This relief will enure in favour of the Applicant for a period of ten days from today, to enable the Applicant to appear before the appropriate Court and ask for further relief, if so advised.

4. Application disposed of on the above terms.

A.M.KHANWILKAR, J.